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Lead Counsel for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

In re APPLE COMPUTER, INC. SECURITIES LITIGATION	)	Master File No. C-01-3667-CW
	)	
	)	<u>CLASS ACTION</u>
	)	
This Document Relates To:	)	DECLARATION OF ELI R. GREENSTEIN
	)	IN SUPPORT OF PLAINTIFFS'
ALL ACTIONS.	)	OPPOSITION TO DEFENDANTS'
	)	MOTION TO DISMISS FIRST AMENDED
	)	CONSOLIDATED COMPLAINT

DATE:	July 11, 2003
TIME:	10:00 a.m.
COURTROOM:	The Honorable Claudia Wilken

1 I, ELI R. GREENSTEIN, declare as follows:

2 1. I am an attorney duly licensed to practice before all of the courts of the State of California.  
3 I am associated with the law firm of Milberg Weiss Bershad Hynes & Lerach LLP, one of the counsel of  
4 record for plaintiffs in the above-entitled action. I have personal knowledge of the matters stated herein  
5 and, if called upon, I could and would competently testify thereto.

6 2. Attached are true and correct copies of the following exhibits:

- 7 Exhibit 1: An AppleCare Knowledge Base document entitled "Power Mac G4 Cube:  
8 Correct Position for Adequate Cooling";  
9 Exhibit 2: An Apple press release dated July 19, 2000 entitled "Apple Debuts New  
10 Power Mac G4s with Dual Processors";  
11 Exhibit 3: An Apple "Media Alert" press release announcing the date and time of  
12 Apple's third quarter 2000 earnings conference call;  
13 Exhibit 4: A Securities and Exchange Commission press release entitled "After-Hours  
14 Trading: Understanding the Risks";  
15 Exhibit 5: A transcription of Apple's conference call held on July 18, 2000;  
16 Exhibit 6: *In re Vestro Corporation Securities Litigation*, Master File No. C 01-  
17 1287 SBA, Order (N.D. Cal. March 31, 2003);  
18 Exhibit 7: *In re Tut Systems, Inc. Securities Litigation*, No. C 01-02659 CW, Order  
19 Granting in Part and Denying in Part Defendants' Motion to Dismiss Plaintiffs'  
20 Consolidated Class Action Complaint and Granting Leave to Amend (N.D.  
21 Cal. Aug. 15, 2002); and  
22 Exhibit 8: *In re U.S. Aggregates, Inc. Securities Litigation*, No. C 01-1688 CW,  
23 Order Denying Defendants' Motions to Dismiss (N.D. Cal. Jan. 24, 2003);  
24 and  
25 Exhibit 9: Declaration of Charles Meadows, Jr.

26 I declare under penalty of perjury under the laws of the State of California that the foregoing is true  
27 and correct. Executed this 1st day of May, 2003, at San Francisco, California.

28 /s/ Eli R. Greenstein

ELI R. GREENSTEIN

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DECLARATION OF SERVICE BY FACSIMILE  
PURSUANT TO NORTHERN DISTRICT LOCAL RULE 23-2(c)(2)

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and a resident of the County of San Francisco, over the age of 18 years, and not a party to or interest in the within action; that declarant's business address is 100 Pine Street, 26th Floor, San Francisco, California 94111.

2. That on May 1, 2003, declarant served by facsimile the DECLARATION OF ELI R. GREENSTEIN IN SUPPORT OF PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO DISMISS FIRST AMENDED CONSOLIDATED COMPLAINT [without Exhibits 1 through 8] to the parties listed on the attached Service List. This document was also served by Federal Express [with Exhibits 1 through 8] on May 1, 2003.

This document was forwarded to the following designated Internet site at:

**<http://securities.milberg.com>**

3. That there is a regular communication by facsimile between the place of origin and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 1st day of May, 2003, at San Francisco, California.

/s/ Carolyn Burr  
Carolyn Burr

APPLE 01  
Service List - 5/01/2003  
Page 1 of 1

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